

Winter 2015



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WOULD YOUR SITE QUALIFY FOR A VOLUNTARY CLEANUP TAX CREDIT (VCTC)?



In 1998, the Florida Legislature created the Voluntary Cleanup Tax Credit (VCTC) to encourage participants to conduct voluntary cleanup of certain drycleaning solvent contaminated sites and brownfield sites in designated brownfield areas. Participants may be private or public entities, but they must meet the eligibility criteria established under Sections 376.3078, 376.30781, and 376.82, F.S, as applicable, and they must enter into either a Voluntary Cleanup Agreement, for drycleaning solvent cleanup, or a Brownfield Site Rehabilitation Agreement. Tax credit certificates are awarded by the Florida Department of Environmental Protection from an annual \$5 million authorization and are valid against Florida Corporate Income Tax. Tax credit awards in excess of \$5 million for any given fiscal year are issued from the next available tax credit authorization. Click [HERE](#) to view the table that summarizes the available types of tax credits and for additional information. Source: FDEP

WHAT IS A HAZARDOUS WASTE?

A waste is hazardous if:

1. It is listed as a hazardous waste in the Title 40 Code of Federal Regulations (CFR) Part 261, Subpart D.
2. It has any of the characteristics described below:



IGNITABLE

Ignitable wastes are flammable or spontaneously combustible. If they have a flashpoint of less than 140 degrees Fahrenheit or an alcohol content of 24% or more, they are hazardous wastes.

Examples include some paints, paint solvents, other solvents and degreasers.

CORROSIVE

Corrosive wastes can burn the skin or corrode metals. Liquids with a pH of 2 or lower or 12.5 or higher are corrosive. Examples include rust removers, acidic or alkaline fluids and battery acid.

REACTIVE

Reactive wastes are unstable and may explode or react violently with water or other materials. Examples include explosives such as detonators for air bags, cyanides and reactive peroxides including some catalysts.

TOXIC

Wastes are toxic if they contain certain heavy metals above specific concentrations, such as chromium, lead or cadmium, or toxic organic chemicals. Examples include some parts cleaners, mercury switches, chromium-bearing paints and spray booth filters.

FLORIDA COMPANY INCLUDED IN EPA ACTION TO PROTECT PUBLIC FROM HARMFUL LEAD EXPOSURE



US EPA Release Date: 12/19/2014

The U.S. Environmental Protection Agency (EPA) filed a complaint against Dynamic Construction and Roofing, LLC of Florida as part of an announcement that included 62 enforcement actions requiring renovation contractors and training providers to protect people from harmful exposure to lead dust and debris, as required by EPA's Lead-based Paint Renovation, Repair, and Painting (RRP) standards.

The enforcement actions include 55 settlements and six complaints issued between February and October 2014 for renovations performed on pre-1978 homes and child-care facilities. All of the settlements require that the alleged violators certify their compliance with RRP standards and, in most cases, pay civil penalties. In two of the settlements, the violators agreed to fund voluntary lead abatement supplemental environmental projects, which require the removal of lead-based paint and post-construction testing to ensure that no hazardous conditions remain. The settlements led to \$213,171 in civil penalties and the violators coming into compliance with federal law. These recent actions are in addition to EPA's settlement with Lowe's Home Improvement in April 2014, which included a \$500,000 civil penalty as well as implementation of a corporate-wide RRP compliance program. Source: US EPA [read entire article...](#)

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